

NATURAL RESOURCE COMMISSION[571]

Adopted and Filed

Rule making related to adding two counties to the bobcat harvest zone

The Natural Resource Commission (Commission) hereby amends Chapter 108, “Mink, Muskrat, Raccoon, Badger, Opossum, Weasel, Striped Skunk, Fox (Red and Gray), Beaver, Coyote, River Otter, Bobcat, Gray (Timber) Wolf and Spotted Skunk Seasons,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code sections 455A.5(6)“a,” 481A.38, 481A.39, and 481A.87.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code section 481A.87.

Purpose and Summary

Chapter 108 sets the season dates, bag limits, possession limits, and areas open to hunting or trapping fur-bearing animals. This rule making adds Delaware and Jones Counties to the one bobcat per fur harvester zone. Data from the past 12 years reveal that Iowa’s bobcat population continues to grow and expand into more counties that provide suitable habitats. Information about the bobcat population has been compiled from a variety of sources, such as hunter surveys, harvest information, field reports, and sightings. This rule change is biologically responsible, as required by law, and will increase recreational opportunities for Iowa fur harvesters while helping minimize social issues associated with high bobcat densities.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on March 10, 2021, as **ARC 5510C**. A public hearing was held on March 30, 2021, at 12 noon via video/conference call. No one attended the public hearing.

Twenty-three total comments were received. Twenty comments were specifically against a bobcat season in Dubuque County. The other three were generally in favor of the zone expansion.

In response to these comments, Dubuque County was removed from the list of counties to be added to the one bobcat per fur harvester zone.

Adoption of Rule Making

This rule making was adopted by the Commission on May 13, 2021.

Fiscal Impact

The Department of Natural Resources (Department) anticipates a very modest increase in fur harvester license sales from this rule. Currently, resident fur harvester licenses, with the wildlife habitat fee, are \$41 per year. If any additional fur harvester licenses are sold as a result of the newly opened counties, revenue would be generated for the State Fish and Game Protection Fund. A copy of the fiscal impact statement is available from the Department upon request.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found. A copy of the jobs impact statement is available from the Department upon request.

Waivers

This rule is subject to the waiver provisions of 571—Chapter 11. Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Commission for a waiver of the discretionary provisions, if any.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on July 21, 2021.

The following rule-making actions are adopted:

ITEM 1. Amend subrule 108.7(2) as follows:

108.7(2) *Open area.* River otters may be taken statewide. Bobcats may be taken in the following counties: Adair, Adams, Appanoose, Audubon, Boone, Cass, Cedar, Cherokee, Clarke, Clinton, Crawford, Dallas, Davis, Decatur, Delaware, Des Moines, Fremont, Guthrie, Harrison, Henry, Iowa, Jackson, Jasper, Jefferson, Johnson, Jones, Keokuk, Lee, Louisa, Lucas, Lyon, Madison, Mahaska, Marion, Mills, Monona, Monroe, Montgomery, Muscatine, Page, Plymouth, Polk, Pottawattamie, Poweshiek, Ringgold, Scott, Shelby, Sioux, Taylor, Union, Van Buren, Wapello, Warren, Washington, Wayne, Webster, and Woodbury.

ITEM 2. Amend paragraph **108.7(3)“b”** as follows:

b. The seasonal bag limit for bobcats is 1 bobcat per person in the following counties: Audubon, Boone, Cedar, Cherokee, Clinton, Crawford, Dallas, Delaware, Guthrie, Harrison, Iowa, Jackson, Jasper, Johnson, Jones, Lyon, Monona, Muscatine, Plymouth, Polk, Poweshiek, Scott, Shelby, Sioux, Webster, and Woodbury.

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